

In the Claims:

Kindly cancel claims 7, 10, and 13-17 and amend claims 1, 8, 9, 11 and 12 to read as follows.

1. (Amended) A substantially purified nucleic acid molecule comprising an enhancer element having at least 90% sequence identity to the sequence of SEQ ID NO: 1 and at least 90% sequence identity to the sequence of SEQ ID NO: 2.

8. (Amended) A substantially purified non-naturally occurring nucleic acid molecule having cardiac enhancer activity and comprising at least three transcription factor binding sites selected from Mef2, dHAND, GATA, TGF-  $\beta$ , CarG, E-box, and Csx/Nkx2.5 binding sites.

9. (Amended) A substantially purified nucleic acid molecule comprising a cardiac-specific repressor element having at least 80% sequence identity to the sequence of SEQ ID NO: 6.

11. (Amended) A substantially purified nucleic acid molecule comprising a cardiac-specific enhancer element having at least 90% sequence identity to the sequence of SEQ ID NO: 4.

12. (Amended) An expression vector comprising a gene linked to a regulatory sequence, wherein said sequence is a cardiac enhancer element comprising at least 90% sequence identity to the sequence of SEQ ID NO.: 1 and at least 90% sequence identity to the sequence of SEQ ID NO.: 2, or at least 90% sequence identity to the sequence of SEQ ID NO.: 3.

Please add the following new claims:

18. (New) The nucleic acid molecule of claim 1, wherein said enhancer element has at least 90% sequence identity to the sequence of SEQ ID NO: 3.

19. (New) The nucleic acid molecule of claim 1, wherein said enhancer element has at least 95 % sequence identity to the sequence of SEQ ID NO: 1 and at least 95% sequence identity to SEQ ID NO: 2.

20. (New) The nucleic acid molecule of claim 1, wherein said enhancer element has at least 95 % sequence identity to the sequence of SEQ ID NO: 3.